

S/N 09/454,221

Notice of Appeal

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

2 Application Serial No.09/454,221
3 Filing Date December 9, 1999
3 Inventorship Appiah et al.
4 Applicant Microsoft Corporation
4 Group Art Unit 2152
Examiner Willett/Rinehart
5 Attorney's Docket No. MS1-435US
Confirmation No. 3503
6 Title: Printer Driver Identification For A Remote Printer

7 **NOTICE OF APPEAL**

8 To: Commissioner of Patents
9 PO Box 1450
10 Alexandria, VA 22313-1450

11 From: Paul Mitchell (Tel. 509-0324-9256 ext. 237; Fax 509-323-8979)
12 Lee & Hayes, PLLC
13 421 W. Riverside Avenue, Suite 500
14 Spokane, WA 99201

15 Customer # 22801

16 Applicant hereby appeals to the Board of Patent Appeals from the Final Office
17 Action dated December 14, 2004, in which the Examiner rejects all pending
18 claims 1-40. Applicant will appeal the rejection of all claims 1-40. The Office
19 does not appear to indicate in the Advisory Action dated March 25, 2005 whether
20 the Response to Final submitted on March 1, 2005 will be entered for purposes of
21 Appeal. Applicant respectfully requests that the Response to Final submitted on
22 March 1, 2005 be entered for purposes of appeal.

23 The Commissioner is hereby authorized to charge payment of fees as set
24 forth in 37 CFR §1.17(b) to Deposit Account No. 12-0769.

S/N 09/454,221

Notice of Appeal

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4 Respectfully Submitted,

5 Lee & Hayes, PLLC
6 421 W. Riverside Avenue, Suite 500
7 Spokane, WA 99201

8 Dated: 4/13/05

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Paul W. Mitchell
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PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FORM

(to be used for all correspondence after initial filing)

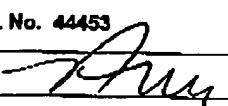
Total Number of Pages in This Submission

Application Number	09/454,221
Filing Date	12/9/1999
First Named Inventor	Madan Mohan R. Applah
Group Art Unit	2141
Examiner Name	STEPHAN F WILLETT
Attorney Docket Number	MS1-435US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) NOTICE OF APPEAL <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/>	<input type="checkbox"/>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Paul W. Mitchell/Reg. No. 44453
Signature	
Date	April 13, 2005

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	CARLY TAYLOR
Signature	
	Date 4/14/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 620.00)

Complete If Known

Application Number	09/454,221
Filing Date	12/9/1999
First Named Inventor	Madan Mohan R. Appiah
Examiner Name	STEPHAN F WILLETT
Art Unit	2141
Attorney Docket No.	MS1 435US

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number 12-0769 Deposit Account Name: Lee & Hayes, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity

Fee (\$)

Fee (\$)

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Fee (\$)

Fee (\$)

Multiple dependent claims

Fee (\$)

Fee (\$)

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)** **Multiple Dependent Claims**- 20 or HP = **Fee (\$)** x **Fee (\$)** = **Fee (\$)** **Fee (\$)** **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**- 3 or HP = **Fee (\$)** x **Fee (\$)** = **Fee (\$)** **Fee Paid (\$)**

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

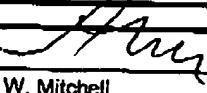
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**- 100 = **Fee (\$)** / 50 = **Fee (\$)** (round up to a whole number) x **Fee (\$)** = **Fee (\$)****Fees Paid (\$)****4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Notice of Appeal; 1 month extension fee

620.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	Telephone (509) 324-9256
Name (Print/Type)	Paul W. Mitchell	Date 4/13/05	

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments and suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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